

REMARKS / ARGUMENTS

In complete response to the Restriction Requirement dated March 9, 2009, on the above identified application, reconsideration is respectfully requested. Claims 9 - 16 are pending in this application.

With this amendment, claims 13 - 16 are withdrawn.

Election/Restrictions

The Examiner requested a restriction under 35 U.S.C. 121 between the following allegedly distinct inventions:

Group I: Claims 9 - 12, drawn to a process of distilling air.

Group II: Claims 13 - 16, drawn to a system for distilling air.

In response to the requirement for restriction, the Applicants elect, without traverse, the invention of Group I, claims 9 - 12, drawn to a process of distilling air.

The Examiner has also requested the election of a species. In response to this request, Applicants elect Species A, which corresponds to elected claim 11.

Application No.: 10/585,834
Attorney Docket No. Serie 6485
Reply to Election/Restriction Dated March 9, 2009
Response to Election/Restriction Filed April 7, 2009

CONCLUSION

Accordingly, Applicants respectfully request examination of claims 9 to 12 in view of the above election. Although Applicants believe that no additional fee is due in conjunction with the filing of this response, the Commissioner is hereby authorized to charge any additional fees that may be due to Deposit Account No. 01-1375. In addition, if the Examiner believes that a telephone call would expedite the prosecution of the present application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

/Elwood L. Haynes/

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Date: **April 7, 2009**

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